

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Miyano Machinery USA Inc.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 08 C 526
)	
MiyanoHitec Machinery, Inc.,)	Hon. Virginia Kendall
Thomas ("Tom") Miyano, a/k/a Toshiharu Miyano)	
and Steven Miyano, a/k/a Shigemori Miyano,)	Magistrate Judge Nolan
)	
Defendants)	
)	JURY TRIAL DEMANDED
)	
<hr style="width: 50%; margin-left: 0;"/>		
MiyanoHitec Machinery, Inc.,)	
Thomas ("Tom") Miyano, a/k/a Toshiharu Miyano)	
and Steven Miyano, a/k/a Shigemori Miyano,)	
)	
Counterclaim-Plaintiffs)	
)	
v.)	
)	
Miyano Machinery USA Inc.)	
Counterclaim-Defendant, and)	
)	
Miyano Machinery Inc.,)	
Third-Party Defendant)	

EXHIBIT LIST

- Exhibit 42: Deposition Transcript of Thomas Miyano
- Exhibit 43: Deposition Transcript of Henry Marchionne
- Exhibit 44: Sample MIYANO Warranty Policy
- Exhibit 45: Sample MIYANO Advertisements
- Exhibit 46: (a) Plaintiff's Response to Defendants First Set of Interrogatories 1-14
(b) Exhibits A and B to Plaintiff's Response to Interrogatories 1-14

Exhibit 47: Section 8 and 15 Affidavit for the Triangle Winged M Registration Signed by
Thomas Miyano

Exhibit 48: Deposition Transcript of Olczak

Exhibit 49: Sample Service Reports

Exhibit 50: Deposition Transcript of Steven Miyano

Exhibit 51: Transcript of February 7, 2008 Motion Call before Judge Kendall

Exhibit 52: Defendants Response to Plaintiff's Cease-and-Desist Letter

Exhibit 53: Pictures taken on May 14, 2008 of Defendants Exhibiting at a Trade Fair

Exhibit 54: Defendants' Advertisement

Exhibit 55: Article from the Shimpo Newspaper

Exhibit 56: Application by Defendants for Registration of the Triangle Winged **H**

Exhibit 57: Rejection from the U.S. Trademark Office of the Triangle Winged **H**
Application

Exhibit 58: Abandonment of the Triangle Winged **H** Application

Exhibit 59: Deposition Transcript of Saito

Exhibit 60: Defendants' "Hitec" Business Cards

Exhibit 61: Email Correspondence

Exhibit 62: Deposition Transcript of Ito

Exhibit 63: Agreements between Thomas Miyano and Miyano Machinery Inc.

Exhibit 64: Tom Miyano U.S. Trademark Application (Ser. No. 77/351,695)

Exhibit 65: MIYANO Brochure from 1996

Exhibit 66: Excerpts from Trademark Manual of Examination Procedure

Exhibit 67: Examples of Trademark Use by MMU

Exhibit 68: MIYANO Brochure from 2006

Exhibit 69: Rejection of Thomas Miyano's Trademark Application (Ser. No. 77/351,695)

Exhibit 70: Deposition Transcript of Minemura

Exhibit 71: Rejection of Thomas Miyano's Trademark Application (Ser. No. 77/371,395)

Exhibit 72: Deposition Transcript of Nagasawa

Exhibit 73: File History for MMU's Triangle Winged M Service Mark Application